

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOEL EVERETT KISSLER,

Petitioner,

v.

MARGRET GILBERT,

Respondent.

CASE NO. 3:15-CV-05859-BHS-DWC

ORDER GRANTING REQUEST TO
WITHDRAW MOTION

The District Court has referred this action filed under 28 U.S.C. § 2254 to United States Magistrate Judge David W. Christel. Currently pending in this action are Petitioner Joel Everett Kissler's Motion requesting the Court not grant Respondent additional time (Dkt. 18) and Request to Withdraw Previous Motion. Dkt. 21.

On January 20, 2016, the Court granted Respondent's Motion for Extension of Time, giving Respondent up to and including February 18, 2016 to file her Answer. Dkt. 17. On February 17, 2016, Petitioner filed the Motion requesting the Court not grant Respondent

1 additional time to respond to the Petition. Dkt. 18.¹ Respondent timely filed her Answer on
2 February 18, 2016. Dkt. 19. On February 24, 2016, Petitioner filed his Request to Withdraw
3 Previous Motion, asking the Court to withdraw his Motion as it was filed before he received
4 Respondent's Answer. Dkt. 21.

5 After review of the Motion and the Request to Withdraw Previous Motion, the Court
6 grants Petitioner's Request. Petitioner's Motion is withdrawn.

7 Dated this 18th day of April, 2016.

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10 David W. Christel
United States Magistrate Judge
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24 ¹ The Court notes Respondent did not file a second motion for extension of time.